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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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11
12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 TOYA DAHL HOEFT,
16 Defendant.
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19 Case No. 5:17-CR-00128-GW-1
20 ORDER OF DETENTION
21 [Fed. R. Crim. P. 31.1(a)(6);
22 18 U.S.C. § 3143(a)(1)]

23 I.

24 On January 25, 2023, Defendant Toya Dahl Hoeft ("Defendant") appeared
25 before the Court for initial appearance on the petition and warrant for revocation of
26 supervised release issued in this matter, Case No. 5:17-CR-00128-GW-1. The
27 Court appointed Claire Kenney of the Federal Public Defender's Office to
28 represent Defendant.

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II.

Pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a) following Defendant's arrest for alleged violation(s) of the terms of Defendant's probation / supervised release, the Court finds that:

A. Defendant submitted to the Government's Request for Detention;

B. Defendant has not carried her burden of establishing by clear and convincing evidence that she will appear for further proceedings as required if released [18 U.S.C. § 3142(b-c)]. This finding is based on:

- Currently serving a custodial sentence;
 - Nature and extent of alleged violation conduct;
 - History of failures to comply with supervision.

D. Defendant has not carried her burden of establishing by clear and convincing evidence that she will not endanger the safety of any other person or the community if released [18 U.S.C. § 3142(b-c)]. This finding is based on:

- History of criminal fraudulent activity;
 - Nature and extent of alleged violation conduct.

III.

In reaching this decision, the Court considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18]

1 U.S.C. § 3142(g).] The Court also considered the report and recommendation of
2 the U.S. Pretrial Services Agency.

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4 IV.

5 IT IS THEREFORE ORDERED that Defendant be detained pending further
6 proceedings.
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Dated: January 25, 2023

9 _____ /s/
10 MARIA A. AUDERO
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12 UNITED STATES MAGISTRATE JUDGE
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